

HOW TO AMEND A STATE AGENCY CONFLICT-OF-INTEREST CODE

The following guidelines are a brief description of the steps that are necessary to amend a conflict-of-interest code. For specific details on amending a code, refer to the appropriate regulation as specified. Contact the FPPC at (916) 322-5660 or (866) 275-3772 for assistance. Sample documents are available from FPPC.

Non-Substantive Amendments (Regulation 18752)

1. Send the FPPC a letter describing the proposed amendment.
2. Include a copy of the entire code showing the proposed changes in strikeout/underscore format.*
3. Include a declaration by your Chief Executive Officer.

Non-Substantive amendments are limited to:

- Reclassifying or renaming existing designated positions
- Deleting positions that have been abolished by the agency and are no longer used
- Changes in the code required to conform to statutory amendment of an FPPC regulation

Substantive Amendments (Regulation 18750)

1. Prepare the proposed amendments in strikeout/underscore format.*
2. Prepare a Notice of Intention (sample is attached)
3. File the Notice of Intention with the Office of Administrative Law (with STD 400).
4. Provide Notice to each employee or member affected by the proposed amendment.

After a written comment period and after you have resolved any areas of controversy or concern, submit the proposed amended conflict-of-interest code to the FPPC accompanied by:

1. A declaration of your Chief Executive Officer
2. A summary of any hearing held, and a summary of areas of controversy and the manner of their resolution
3. Written justification for each and every change
4. The current organizational chart for the agency
5. Job descriptions for all positions affected by the proposed amendment

*Example of strikeout/underscore format. (Note: text in strikeout indicates words you wish to delete. Underscored text indicates words you wish to add to your code.)

~~LEGAL OFFICE~~ LEGAL AFFAIRS DIVISION

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| <u>2. Assistant Chief Counsel.....</u> | <u>2</u> |
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